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MEMO ENDORSED

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June 28, 2021

By Email

The Honorable Kenneth M. Karas
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

***Re: United States v. Nicholas Tartaglione,
16 Cr. 832 (S-4) (KMK)***

Dear Judge Karas:

I, along with co-counsel Bruce Koffsky, John Diaz, and Kenneth Montgomery, are all in receipt of this Court's Order, dated today, scheduling a status conference for tomorrow, June 29, 2021, as well as this Court's prior Order, dated, June 21, 2021, appointing William Easton as Learned Counsel in place of Anthony Ricco. We write to confirm that like Mr. Ricco we too are not expected to appear at tomorrow's status conference and also that each of us have now likewise been relieved.

As the Court will recall, at the conclusion of the Curcio proceedings, after this Court accepted Mr. Tartaglione's waiver of the various conflicts that had been raised in relation to retained counsel during the lengthy Curcio hearing, Mr. Tartaglione reasserted his request to terminate all counsel appointed pursuant to 18 U.S.C. §§ 3005 and 3006A, and requested the appointment of new Learned Counsel. To ensure continuity of counsel, this Court requested that we each effectively "stand down" but remain on the case until a new Learned Counsel had been appointed.


Thereafter, on June 21, 2021, this Court so-ordered a letter from David E. Patton, Executive Director of the Federal Defenders of New York, who had proposed the appointment of William Easton as successor counsel to Anthony Ricco. Neither Mr. Patton's letter, nor this Court's endorsement, made reference to the status of myself and Mr. Koffsky, who were also appointed pursuant to 18 U.S.C. § 3005, nor Mr. Diaz or Mr. Montgomery who had been appointed pursuant to 18 U.S.C. § 3006A. While we assume from the prior proceedings that each of us are likewise now relieved, due to our omission from the June 21, 2021, Order, we write to confirm that such is the case and that we are not expected at tomorrow's status conference.

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Finally, because this letter discusses matters that remain under seal, we have filed this letter by email and cc'd the Government's firewall counsel rather than the trial prosecutors. We see no independent reason why this letter, however, should otherwise be filed under seal, and as such take no position on the issue and defer to this Court's sound judgment.

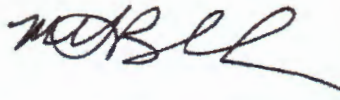
The Court confirms that all of the signatories of this letter and all Learned Counsel originally appointed in this case are relieved for reasons previously given. All Learned Counsel have the profound gratitude of the Court for their efforts in this case. This letter need not be filed under seal, as it does not discuss defense strategy or any other subjects that would justify filing it under seal.

So Ordered.



6/28/21

Respectfully submitted,



Michael K. Bachrach
Bruce D. Koffsky
Kenneth J. Montgomery
John A. Diaz
Appointed Counsel for Nicholas Tartaglione

cc: All defense counsel of record (by email)
AUSA Margery Feinzig (by email)
Ilan Graff, Esq. (by email)